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MAR 17 2010

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

DAVID E. ISRINGHAUSEN,

O R D E R  
Civ. No. 07-1261-TC

Petitioner,

vs.

MARK NOOTH,

Respondent.

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AIKEN, Chief Judge:


Magistrate Judge Coffin filed his Findings and Recommendation on February 3, 2010. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When a party objects to any portion of the Magistrate's Findings and Recommendation, the district court must make a de novo determination of that portion of the Magistrate's report. 28 U.S.C. § 636(b)(1)(B); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Petitioner has timely filed objections (doc. 59). I have, therefore, given the file of this case a de novo review. I ADOPT the Magistrate's Findings and Recommendation (doc. 58) that

1 petitioner's habeas petition (doc. 2) is denied. This case is  
2 dismissed.

3 IT IS SO ORDERED.

4 Dated this 16 day of March 2010.

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9 Ann Aiken  
United States District Judge